

Receipt date: 09/29/2010

10804761 - GAU: 3775

| | | | | | | |
|--|---|----|----|------------------------|--------------------|-------------|
| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | Complete if Known | | |
| | | | | Application Number | 10/804,761 | |
| | | | | Filing Date | March 19, 2004 | |
| | | | | First Named Inventor | Hochschuler et al. | |
| | | | | Art Unit | 3775 | |
| | | | | Examiner Name | Michael J. Araj | |
| Sheet | 1 | of | 20 | Attorney Docket Number | | 3110.22US02 |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL [*] | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document |
|----------------------------------|--------------------------|--|--------------------------------|--|
| | | Number-Kind Code ² (if known) | | |
| | | US- 16,151 | 12-02-1856 | Cole |
| | | US- 376,477 | 01-17-1888 | Harcourt |
| | | US- 817,042 | 04-03-1906 | Burns |
| | | US- 1,079,630 | 11-25-1913 | Baum |
| | | US- 1,409,825 | 03-14-1922 | Brush |
| | | US- 2,077,804 | 04-20-1937 | Morrison |
| | | US- 2,677,369 | 05-04-1954 | Knowles |
| | | US- 2,984,241 | 05-16-1961 | Carlson |
| | | US- 3,426,364 | 02-11-1969 | Lumb |
| | | US- 3,554,192 | 01-12-1971 | Isberner |
| | | US- 3,628,524 | 12-21-1971 | Jamshidi |
| | | US- 3,630,204 | 12-28-1971 | Fishbein |
| | | US- 3,633,583 | 01-11-1972 | Fishbein |
| | | US- 3,702,611 | 11-14-1972 | Fishbein |
| | | US- 3,902,498 | 09-02-1975 | Niederer |
| | | US- 4,011,602 | 03-15-1977 | Rybicki et al. |
| | | US- 4,013,071 | 03-22-1977 | Rosenberg |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL [*] | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | T ⁶ |
|----------------------------------|--------------------------|--|--------------------------------|--|----------------|
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | |
| | | WO 91/00713 A1 | 01-24-1991 | The Procter & Gamble Company | |
| | | WO 99/02214 A1 | 01-21-1999 | Tegementa, LLC | |
| | | WO 03/07854 A1 | 01-30-2003 | The Spineology Group | |
| | | EP 0277282 A1 | 08-10-1988 | Sulzer AG | |

| | |
|-----------------------|--------------------|
| EXAMINER SIGNATURE | DATE CONSIDERED |
|-----------------------|--------------------|

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.A./

| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | Complete if Known | | |
|---|--------------------------|--|--------------------------------|--|--------------------|----------------|
| | | | | Application Number | 10/804,761 | |
| | | | | Filing Date | March 19, 2004 | |
| | | | | First Named Inventor | Hochschuler et al. | |
| | | | | Art Unit | 3775 | |
| Examiner Name | | | | Michael J. Araj | | |
| Sheet | 2 | of | 20 | Attorney Docket Number 3110.22US02 | | |
| U.S. PATENT DOCUMENTS | | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | | |
| | | Number-Kind Code ² (if known) | | | | |
| | | US- 4,044,508 | 08-30-1977 | Frederick | | |
| | | US- 4,059,115 | 11-22-1977 | Jumashev et al. | | |
| | | US- 4,140,432 | 02-20-1979 | Heule | | |
| | | US- 4,162,867 | 07-31-1979 | Calcaterra et al. | | |
| | | US- 4,275,490 | 06-30-1981 | Bivins | | |
| | | US- 4,298,002 | 11-03-1981 | Ronel et al. | | |
| | | US- 4,309,777 | 01-12-1982 | Patil | | |
| | | US- 4,349,921 | 09-21-1982 | Kuntz | | |
| | | US- 4,369,769 | 01-25-1983 | Edwards | | |
| | | US- 4,379,451 | 04-12-1983 | Getscher | | |
| | | US- 4,401,112 | 08-30-1983 | Rezaian | | |
| | | US- 4,430,760 | 02-14-1984 | Smestad | | |
| | | US- 4,447,915 | 05-15-1984 | Weber | | |
| | | US- 4,457,028 | 07-03-1984 | Draenert | | |
| | | US- 4,468,200 | 08-28-1984 | Münch | | |
| | | US- 4,473,070 | 09-25-1984 | Matthews et al. | | |
| | | US- 4,479,491 | 10-30-1984 | Martin | | |
| | | US- 4,497,075 | 02-05-1985 | Niwa et al. | | |
| | | US- 4,501,269 | 02-26-1985 | Bagby | | |
| FOREIGN PATENT DOCUMENTS | | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | | T ⁶ |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | | |
| | | WO 89/09030 A1 | 10-05-1989 | AESCULAP AG | | |
| EXAMINER SIGNATURE | | DATE CONSIDERED | | | | |
| <p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p> <p>¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.</p> <p>This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.</p> | | | | | | |

| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | <i>Complete if Known</i> | | |
|--|--------------------------|--|--------------------------------|--|--------------------|----------------|
| | | | | Application Number | 10/804,761 | |
| | | | | Filing Date | March 19, 2004 | |
| | | | | First Named Inventor | Hochschuler et al. | |
| | | | | Art Unit | 3775 | |
| | | | | Examiner Name | Michael J. Araj | |
| Sheet | 3 | of | 20 | Attorney Docket Number | 3110.22US02 | |
| U.S. PATENT DOCUMENTS | | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | | |
| | | Number-Kind Code ² (if known) | | | | |
| | | US- 4,545,374 | 10-08-1985 | Jacobson | | |
| | | US- 4,553,273 | 11-19-1985 | Wu | | |
| | | US- 4,554,914 | 11-26-1985 | Kapp et al. | | |
| | | US- 4,573,448 | 03-04-1986 | Kambin | | |
| | | US- 4,586,497 | 05-06-1986 | Dapra et al. | | |
| | | US- 4,589,414 | 05-20-1986 | Yoshida et al. | | |
| | | US- 4,596,243 | 06-24-1986 | Bray | | |
| | | US- 4,599,086 | 07-08-1986 | Doty | | |
| | | US- 4,603,194 | 07-29-1986 | Mendiratta et al. | | |
| | | US- 4,611,581 | 09-16-1986 | Steffee | | |
| | | US- 4,612,922 | 09-23-1986 | Barber | | |
| | | US- 4,636,217 | 01-13-1987 | Ogilvie et al. | | |
| | | US- 4,644,951 | 02-24-1987 | Bays | | |
| | | US- 4,646,738 | 03-03-1987 | Trott | | |
| | | US- 4,653,481 | 03-31-1987 | Howland et al. | | |
| | | US- 4,657,550 | 04-14-1987 | Daher | | |
| | | US- 4,662,371 | 05-05-1987 | Whipple et al. | | |
| | | US- 4,686,997 | 08-18-1987 | Oloff et al. | | |
| FOREIGN PATENT DOCUMENTS | | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | | T ⁶ |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| EXAMINER SIGNATURE | | DATE CONSIDERED | | | | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.A./

| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | <i>Complete if Known</i> | |
|--|--------------------------|--|--------------------------------|--|--------------------|
| | | | | Application Number | 10/804,761 |
| | | | | Filing Date | March 19, 2004 |
| | | | | First Named Inventor | Hochschuler et al. |
| | | | | Art Unit | 3775 |
| | | | | Examiner Name | Michael J. Araj |
| Sheet | 4 | of | 20 | Attorney Docket Number | 3110.22US02 |
| U.S. PATENT DOCUMENTS | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | |
| | | Number-Kind Code ² (if known) | | | |
| | | US- 4,690,595 | 09-01-1987 | Heule | |
| | | US- 4,696,292 | 09-29-1987 | Heiple | |
| | | US- 4,714,469 | 12-22-1987 | Kenna | |
| | | US- 4,714,478 | 12-22-1987 | Fischer | |
| | | US- 4,716,893 | 01-05-1988 | Fischer et al. | |
| | | US- 4,722,338 | 02-02-1988 | Wright et al. | |
| | | US- 4,733,663 | 03-29-1988 | Farley | |
| | | US- 4,743,256 | 05-10-1988 | Brantigan | |
| | | US- 4,756,649 | 07-12-1988 | Heule | |
| | | US- 4,759,769 | 07-26-1988 | Hedman et al. | |
| | | US- 4,777,948 | 10-18-1988 | Wright | |
| | | US- 4,782,833 | 11-08-1988 | Einhorn et al. | |
| | | US- 4,796,612 | 01-10-1989 | Reese | |
| | | US- 4,834,752 | 05-30-1989 | Van Kampen | |
| | | US- 4,834,757 | 05-30-1989 | Brantigan | |
| | | US- 4,863,472 | 09-05-1989 | Törmälä et al. | |
| FOREIGN PATENT DOCUMENTS | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | T ⁶ |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| EXAMINER SIGNATURE | | DATE CONSIDERED | | | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | Complete if Known | |
|---|--------------------------|--|--------------------------------|--|--------------------|
| | | | | Application Number | 10/804,761 |
| | | | | Filing Date | March 19, 2004 |
| | | | | First Named Inventor | Hochschuler et al. |
| | | | | Art Unit | 3775 |
| | | | | Examiner Name | Michael J. Araj |
| Sheet | 5 | of | 20 | Attorney Docket Number | 3110.22US02 |
| U.S. PATENT DOCUMENTS | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | |
| | | Number-Kind Code ² (if known) | | | |
| | | US- 4,865,604 | 09-12-1989 | Rogozinski | |
| | | US- 4,874,389 | 10-17-1989 | Downey | |
| | | US- 4,883,699 | 11-28-1989 | Anuik et al. | |
| | | US- 4,990,148 | 02-05-1991 | Worrick, III et al. | |
| | | US- 5,026,375 | 06-25-1991 | Linovitz et al. | |
| | | US- 5,030,233 | 07-09-1991 | Ducheyne | |
| | | US- 5,061,269 | 10-29-1991 | Muller | |
| | | US- 5,108,438 | 04-28-1992 | Stone | |
| | | US- 5,133,767 | 07-28-1992 | Frey et al. | |
| | | US- 5,213,576 | 05-25-1993 | Abiuso et al. | |
| | | US- 5,303,718 | 04-19-1994 | Krajicek | |
| | | US- 5,312,407 | 05-17-1994 | Carter | |
| | | US- 5,316,016 | 05-31-1994 | Adams et al. | |
| | | US- 5,431,671 | 07-11-1995 | Nallakrishnan | |
| | | US- 5,437,834 | 08-01-1995 | Okimatsu et al. | |
| | | US- 5,451,227 | 09-19-1995 | Michaelson | |
| | | US- 5,484,441 | 01-16-1996 | Koros et al. | |
| | | US- 5,490,860 | 02-13-1996 | Middle et al. | |
| | | US- 5,501,706 | 03-26-1996 | Arenberg | |
| | | US- 5,503,164 | 04-02-1996 | Friedman | |
| FOREIGN PATENT DOCUMENTS | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | T ⁶ |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| EXAMINER SIGNATURE | | DATE CONSIDERED | | | |
| <p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p> <p>¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.</p> <p>This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.</p> | | | | | |

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.A./

| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | Complete if Known | | |
|--|--------------------------|--|--------------------------------|--|--------------------|----------------|
| | | | | Application Number | 10/804,761 | |
| | | | | Filing Date | March 19, 2004 | |
| | | | | First Named Inventor | Hochschuler et al. | |
| | | | | Art Unit | 3775 | |
| Examiner Name | | | | Michael J. Araj | | |
| Sheet | 6 | of | 20 | Attorney Docket Number | | 3110.22US02 |
| U.S. PATENT DOCUMENTS | | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | | |
| | | Number-Kind Code ² (if known) | | | | |
| | | US- 5,514,157 | 05-07-1996 | Nicholas et al. | | |
| | | US- 5,531,791 | 07-02-1996 | Wolfenbarger, Jr. | | |
| | | US- 5,549,676 | 08-27-1996 | Johnson | | |
| | | US- 5,571,189 | 11-05-1996 | Kuslich | | |
| | | US- 5,649,947 | 07-22-1997 | Auerbach et al. | | |
| | | US- 5,653,713 | 08-05-1997 | Michelson | | |
| | | US- 5,653,761 | 08-05-1997 | Pisharodi | | |
| | | US- 5,674,295 | 10-07-1997 | Ray et al. | | |
| | | US- 5,766,177 | 06-16-1998 | Lucas-Dean et al. | | |
| | | US- 5,782,832 | 07-21-1998 | Larsen et al. | | |
| | | US- 5,810,876 | 09-22-1998 | Kelleher | | |
| | | US- 5,817,119 | 10-06-1998 | Klieman et al. | | |
| | | US- 5,827,328 | 10-27-1998 | Buttermann | | |
| | | US- 5,865,845 | 02-02-1999 | Thalgott | | |
| | | US- 5,865,848 | 02-02-1999 | Baker | | |
| | | US- 5,908,432 | 06-01-1999 | Pan | | |
| | | US- 5,919,235 | 07-06-1999 | Husson et al. | | |
| | | US- 5,961,531 | 10-05-1999 | Weber et al. | | |
| | | US- 5,968,098 | 10-19-1999 | Winslow | | |
| | | US- 5,972,015 | 10-26-1999 | Scribner et al. | | |
| | | US- 5,976,187 | 11-02-1999 | Richelsoph | | |
| | | US- 6,004,326 | 12-21-1999 | Castro et al. | | |
| | | US- 6,022,376 | 02-08-2000 | Assell et al. | | |
| | | US- 6,063,088 | 05-16-2000 | Winslow | | |
| FOREIGN PATENT DOCUMENTS | | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | | T ⁶ |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | | |
| | | | | | | |
| EXAMINER SIGNATURE | | | DATE CONSIDERED | | | |
| <p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p> <p>¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.</p> <p>This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460 Alexandria, VA 22313-1460.</p> | | | | | | |

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /MA/

| Substitute for form 1449/PTO | | | | Complete if Known | |
|--|--------------------------|--|--------------------------------|--|--------------------|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | Application Number | 10/804,761 |
| | | | | Filing Date | March 19, 2004 |
| | | | | First Named Inventor | Hochschuler et al. |
| | | | | Art Unit | 3775 |
| | | | | Examiner Name | Michael J. Araj |
| Sheet | 7 | of | 20 | Attorney Docket Number | 3110.22US02 |
| U.S. PATENT DOCUMENTS | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | |
| | | Number-Kind Code ² (if known) | | | |
| | | US- 6,083,225 | 07-04-2000 | Winslow et al. | |
| | | US- 6,093,205 | 07-25-2000 | McLeod et al. | |
| | | US- 6,110,210 | 08-29-2000 | Norton et al. | |
| | | US- 6,110,211 | 08-29-2000 | Weiss | |
| | | US- 6,113,638 | 09-05-2000 | Williams et al. | |
| | | US- 6,127,597 | 10-03-2000 | Beyar et al. | |
| | | US- 6,132,465 | 10-17-2000 | Ray et al. | |
| | | US- 6,139,520 | 10-31-2000 | McCrory et al. | |
| | | US- 6,142,997 | 11-07-2000 | Michelson | |
| | | US- 6,146,419 | 11-14-2000 | Eaton | |
| | | US- 6,146,422 | 11-14-2000 | Lawson | |
| | | US- 6,156,067 | 12-05-2000 | Bryan et al. | |
| | | US- 6,187,043 B1 | 02-13-2001 | Ledergerber | |
| | | US- 6,190,414 B1 | 02-20-2001 | Young et al. | |
| | | US- 6,193,757 B1 | 02-27-2001 | Foley et al. | |
| | | US- 6,200,320 B1 | 03-13-2001 | Michelson | |
| | | US- 6,206,930 B1 | 03-27-2003 | Burg et al. | |
| | | US- 6,235,043 B1 | 05-22-2001 | Reiley et al. | |
| | | US- 6,241,734 B1 | 06-05-2001 | Scribner et al. | |
| FOREIGN PATENT DOCUMENTS | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | T ⁶ |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| EXAMINER SIGNATURE | | DATE CONSIDERED | | | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /MA./

| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | <i>Complete if Known</i> | |
|--|--------------------------|--|--------------------------------|--|--------------------|
| | | | | Application Number | 10/804,761 |
| | | | | Filing Date | March 19, 2004 |
| | | | | First Named Inventor | Hochschuler et al. |
| | | | | Art Unit | 3775 |
| | | | | Examiner Name | Michael J. Araj |
| Sheet | 8 | of | 20 | Attorney Docket Number | 3110.22US02 |
| U.S. PATENT DOCUMENTS | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | |
| | | Number-Kind Code ² (if known) | | | |
| | | US- 6,241,769 B1 | 06-05-2001 | Nicholson et al. | |
| | | US- 6,245,072 B1 | 06-12-2001 | Zdeblick et al. | |
| | | US- 6,248,110 B1 | 06-19-2001 | Reiley et al. | |
| | | US- 6,267,763 B1 | 07-31-2001 | Castro | |
| | | US- 6,280,456 B1 | 08-28-2001 | Scribner et al. | |
| | | US- 6,283,998 B1 | 09-04-2001 | Eaton | |
| | | US- 6,296,632 B1 | 10-02-2001 | Lüscher et al. | |
| | | US- 6,299,590 B1 | 10-09-2001 | Lüscher et al. | |
| | | US- 6,332,882 B1 | 12-25-2001 | Zucherman et al. | |
| | | US- 6,332,894 B1 | 12-25-2001 | Stalcup et al. | |
| | | US- 6,358,251 B1 | 03-19-2002 | Mirza | |
| | | US- 6,379,355 B1 | 04-30-2002 | Zucherman et al. | |
| | | US- 6,379,690 B2 | 04-30-2002 | Blanchard et al. | |
| | | US- 6,383,188 B2 | 05-07-2002 | Kuslich et al. | |
| | | US- 6,395,031 B1 | 05-28-2002 | Foley et al. | |
| | | US- 6,395,034 B1 | 05-28-2002 | Suddaby | |
| | | US- 6,402,750 B1 | 06-11-2002 | Atkinson et al. | |
| | | US- 6,413,278 B1 | 07-02-2002 | Marchosky | |
| | | US- 6,419,676 B1 | 07-16-2002 | Zucherman et al. | |
| | | US- 6,419,677 B2 | 07-16-2002 | Zucherman et al. | |
| FOREIGN PATENT DOCUMENTS | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | T ⁶ |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| EXAMINER SIGNATURE | | | DATE CONSIDERED | | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.
 This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.A./

| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | Complete if Known | |
|---|--------------------------|--|--------------------------------|--|--------------------|
| | | | | Application Number | 10/804,761 |
| | | | | Filing Date | March 19, 2004 |
| | | | | First Named Inventor | Hochschuler et al. |
| | | | | Art Unit | 3775 |
| | | | | Examiner Name | Michael J. Araj |
| Sheet | 9 | of | 20 | Attorney Docket Number | 3110.22US02 |
| U.S. PATENT DOCUMENTS | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | |
| | | Number-Kind Code ² (if known) | | | |
| | | US- 6,423,083 B2 | 07-23-2002 | Reiley et al. | |
| | | US- 6,425,923 B1 | 07-30-2002 | Stalcup et al. | |
| | | US- 6,436,143 B1 | 08-20-2002 | Ross et al. | |
| | | US- 6,451,020 B1 | 09-17-2002 | Zucherman et al. | |
| | | US- 6,478,796 B2 | 11-12-2002 | Zucherman et al. | |
| | | US- 6,482,233 B1 | 11-19-2002 | Aebi et al. | |
| | | US- 6,482,234 B1 | 11-19-2002 | Weber et al. | |
| | | US- 6,500,178 B2 | 12-31-2002 | Zucherman et al. | |
| | | US- 6,500,205 B1 | 12-31-2002 | Michelson | |
| | | US- 6,514,256 B2 | 02-04-2003 | Zucherman et al. | |
| | | US- 6,540,747 B1 | 04-01-2003 | Marino | |
| | | US- 6,558,386 B1 | 05-06-2003 | Cragg | |
| | | US- 6,558,390 B2 | 05-06-2003 | Cragg | |
| | | US- 6,565,606 B1 | 05-20-2003 | Bruce et al. | |
| | | US- 6,575,978 B2 | 06-10-2003 | Peterson et al. | |
| | | US- 6,575,979 B1 | 06-10-2003 | Cragg | |
| | | US- 6,582,446 B1 | 06-24-2003 | Marchosky | |
| | | US- 6,589,199 B1 | 07-08-2003 | McCrory et al. | |
| | | US- 6,595,995 B2 | 07-22-2003 | Zdeblick et al. | |
| FOREIGN PATENT DOCUMENTS | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | T ⁶ |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| EXAMINER SIGNATURE | | DATE CONSIDERED | | | |
| <p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p> <p>¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.</p> <p>This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.</p> | | | | | |

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.A./

| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | <i>Complete if Known</i> | |
|--|--------------------------|--|--------------------------------|--|--------------------|
| | | | | Application Number | 10/804,761 |
| | | | | Filing Date | March 19, 2004 |
| | | | | First Named Inventor | Hochschuler et al. |
| | | | | Art Unit | 3775 |
| | | | | Examiner Name | Michael J. Araj |
| Sheet | 10 | of | 20 | Attorney Docket Number | 3110.22US02 |
| U.S. PATENT DOCUMENTS | | | | | |
| EXAMINER INITIAL [*] | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | |
| | | Number-Kind Code ² (if known) | | | |
| | | US- 6,602,291 B1 | 08-05-2003 | Ray et al. | |
| | | US- 6,607,544 B1 | 08-19-2003 | Boucher et al. | |
| | | US- 6,613,054 B2 | 09-02-2003 | Scribner et al. | |
| | | US- 6,620,196 B1 | 09-16-2003 | Trieu | |
| | | US- 6,623,505 B2 | 09-23-2003 | Scribner et al. | |
| | | US- 6,629,947 B1 | 10-07-2003 | Sahatjian et al. | |
| | | US- 6,632,247 B2 | 10-14-2003 | Boyer, II et al. | |
| | | US- 6,649,030 B1 | 11-18-2003 | Tesar | |
| | | US- 6,652,527 B2 | 11-25-2003 | Zucherman et al. | |
| | | US- 6,652,534 B2 | 11-25-2003 | Zucherman et al. | |
| | | US- 6,652,584 B2 | 11-25-2003 | Michelson | |
| | | US- 6,660,038 B2 | 12-09-2003 | Boyer, II et al. | |
| | | US- 6,663,647 B2 | 12-16-2003 | Reiley et al. | |
| | | US- 6,666,893 B2 | 12-23-2003 | Burg et al. | |
| | | US- 6,679,886 B2 | 01-20-2004 | Weikel et al. | |
| | | US- 6,695,842 B2 | 02-24-2004 | Zucherman et al. | |
| | | US- 6,699,246 B2 | 03-02-2004 | Zucherman et al. | |
| | | US- 6,699,247 B2 | 03-02-2004 | Zucherman et al. | |
| | | US- 6,709,458 B2 | 03-23-2004 | Michelson | |
| | | US- 6,712,819 B2 | 03-30-2004 | Zucherman et al. | |
| FOREIGN PATENT DOCUMENTS | | | | | |
| EXAMINER INITIAL [*] | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | T ⁶ |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| EXAMINER SIGNATURE | | DATE CONSIDERED | | | |
| <p>[*]EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p> <p>¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.</p> <p>This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.</p> | | | | | |

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.A./

| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | <i>Complete if Known</i> | | |
|---|--------------------------|--|--------------------------------|--|--------------------|----------------|
| | | | | Application Number | 10/804,761 | |
| | | | | Filing Date | March 19, 2004 | |
| | | | | First Named Inventor | Hochschuler et al. | |
| | | | | Art Unit | 3775 | |
| | | | | Examiner Name | Michael J. Araj | |
| Sheet | 11 | of | 20 | Attorney Docket Number | 3110.22US02 | |
| U.S. PATENT DOCUMENTS | | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | | |
| | | Number-Kind Code ² (if known) | | | | |
| | | US- 6,716,216 B1 | 04-06-2004 | Boucher et al. | | |
| | | US- 6,716,247 B2 | 04-06-2004 | Michelson | | |
| | | US- 6,726,691 B2 | 04-27-2004 | Osorio et al. | | |
| | | US- 6,740,090 B1 | 05-25-2004 | Cragg et al. | | |
| | | US- 6,740,093 B2 | 05-25-2004 | Hochschuler et al. | | |
| | | US- 6,746,485 B1 | 06-08-2004 | Zucherman et al. | | |
| | | US- 6,749,614 B2 | 06-15-2004 | Teitelbaum et al. | | |
| | | US- 6,749,635 B1 | 06-15-2004 | Bryan | | |
| | | US- 6,758,849 B1 | 07-06-2004 | Michelson | | |
| | | US- 6,764,512 B2 | 07-20-2004 | Keller | | |
| | | US- 6,783,546 B2 | 08-31-2004 | Zucherman et al. | | |
| | | US- 6,790,210 B1 | 09-14-2004 | Cragg et al. | | |
| | | US- 6,793,679 B2 | 09-21-2004 | Michelson | | |
| | | US- 6,796,983 B1 | 09-28-2004 | Zucherman et al. | | |
| | | US- 6,800,092 B1 | 10-05-2004 | Williams et al. | | |
| | | US- 6,805,695 B2 | 10-19-2004 | Keith et al. | | |
| | | US- 6,805,697 B1 | 10-19-2004 | Helm et al. | | |
| | | US- 6,814,756 B1 | 11-09-2004 | Michelson | | |
| | | US- 6,821,277 B2 | 11-23-2004 | Teitelbaum | | |
| FOREIGN PATENT DOCUMENTS | | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | | T ⁶ |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| EXAMINER SIGNATURE | | DATE CONSIDERED | | | | |
| <p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p> <p>¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.</p> <p>This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.</p> | | | | | | |

| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | <i>Complete if Known</i> | |
|---|--------------------------|--|--------------------------------|--|--------------------|
| | | | | Application Number | 10/804,761 |
| | | | | Filing Date | March 19, 2004 |
| | | | | First Named Inventor | Hochschuler et al. |
| | | | | Art Unit | 3775 |
| | | | | Examiner Name | Michael J. Araj |
| Sheet | 12 | of | 20 | Attorney Docket Number | 3110.22US02 |
| U.S. PATENT DOCUMENTS | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | |
| | | Number-Kind Code ² (if known) | | | |
| | | US- 6,833,006 B2 | 12-21-2004 | Foley et al. | |
| | | US- 6,835,205 B2 | 12-28-2004 | Atkinson et al. | |
| | | US- 6,835,208 B2 | 12-28-2004 | Marchosky | |
| | | US- 6,849,092 B2 | 02-01-2005 | Van Dyke et al. | |
| | | US- 6,852,095 B1 | 02-08-2005 | Ray | |
| | | US- 6,869,445 B1 | 03-22-2005 | Johnson | |
| | | US- 6,875,212 B2 | 04-05-2005 | Shaolian et al. | |
| | | US- 6,883,520 B2 | 04-26-2005 | Lambrecht et al. | |
| | | US- 6,893,466 B2 | 05-17-2005 | Trieu | |
| | | US- 6,899,713 B2 | 05-31-2005 | Shaolian et al. | |
| | | US- 6,899,716 B2 | 05-31-2005 | Cragg | |
| | | US- 6,899,719 B2 | 05-31-2005 | Reiley et al. | |
| | | US- 6,902,566 B2 | 06-07-2005 | Zucherman et al. | |
| | | US- 6,921,403 B2 | 07-26-2005 | Cragg et al. | |
| | | US- 6,923,813 B2 | 08-02-2005 | Phillips et al. | |
| | | US- 6,936,072 B2 | 08-30-2005 | Lambrecht et al. | |
| | | US- 6,949,105 B2 | 09-27-2005 | Bryan et al. | |
| | | US- 6,962,606 B2 | 11-08-2005 | Michelson | |
| | | US- 6,964,667 B2 | 11-15-2005 | Shaolian et al. | |
| | | US- 6,964,674 B1 | 11-15-2005 | Matsuura et al. | |
| FOREIGN PATENT DOCUMENTS | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | T ⁶ |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| EXAMINER SIGNATURE | | | DATE CONSIDERED | | |
| <p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p> <p>¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.</p> <p>This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.</p> | | | | | |

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.A./

| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | <i>Complete if Known</i> | | |
|--|--------------------------|--|--------------------------------|--|--------------------|----------------|
| | | | | Application Number | 10/804,761 | |
| | | | | Filing Date | March 19, 2004 | |
| | | | | First Named Inventor | Hochschuler et al. | |
| | | | | Art Unit | 3775 | |
| | | | | Examiner Name | Michael J. Araj | |
| Sheet | 13 | of | 20 | Attorney Docket Number | 3110.22US02 | |
| U.S. PATENT DOCUMENTS | | | | | | |
| EXAMINER INITIAL [*] | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | | |
| | | Number-Kind Code ² (if known) | | | | |
| | | US- 6,969,404 B2 | 11-29-2005 | Ferree | | |
| | | US- 6,972,035 B2 | 12-06-2005 | Michelson | | |
| | | US- 6,974,478 B2 | 12-13-2005 | Reiley et al. | | |
| | | US- 6,981,981 B2 | 01-03-2006 | Reiley et al. | | |
| | | US- 6,984,247 B2 | 01-10-2006 | Cauthen | | |
| | | US- 6,986,788 B2 | 01-17-2006 | Paul et al. | | |
| | | US- 6,997,956 B2 | 02-14-2006 | Cauthen | | |
| | | US- 7,001,431 B2 | 02-21-2006 | Bao et al. | | |
| | | US- 7,004,970 B2 | 02-28-2006 | Cauthen III et al. | | |
| | | US- 7,008,424 B2 | 03-07-2006 | Teitelbaum | | |
| | | US- 7,008,453 B1 | 03-07-2006 | Michelson | | |
| | | US- 7,014,659 B2 | 03-21-2006 | Boyer, II et al. | | |
| | | US- 7,025,771 B2 | 04-11-2006 | Kuslich et al. | | |
| | | US- 7,029,473 B2 | 04-18-2006 | Zucherman et al. | | |
| | | US- 7,033,395 B2 | 04-25-2006 | Cauthen | | |
| | | US- 7,044,954 B2 | 05-16-2006 | Reiley et al. | | |
| | | US- 7,052,516 B2 | 05-30-2006 | Cauthen III et al. | | |
| | | US- 7,077,865 B2 | 07-18-2006 | Bao et al. | | |
| | | US- 7,087,058 B2 | 08-08-2006 | Cragg | | |
| FOREIGN PATENT DOCUMENTS | | | | | | |
| EXAMINER INITIAL [*] | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | | T ⁶ |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| EXAMINER SIGNATURE | | DATE CONSIDERED | | | | |
| <p><small>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</small></p> <p><small>¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04 ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.</small></p> <p><small>This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.</small></p> | | | | | | |

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.A./

| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | <i>Complete if Known</i> | | |
|--|--------------------------|--|--------------------------------|--|--------------------|----------------|
| | | | | Application Number | 10/804,761 | |
| | | | | Filing Date | March 19, 2004 | |
| | | | | First Named Inventor | Hochschuler et al. | |
| | | | | Art Unit | 3775 | |
| | | | | Examiner Name | Michael J. Araj | |
| Sheet | 14 | of | 20 | Attorney Docket Number | 3110.22US02 | |
| U.S. PATENT DOCUMENTS | | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | | |
| | | Number-Kind Code ² (if known) | | | | |
| | | US- 7,087,082 B2 | 08-08-2006 | Paul et al. | | |
| | | US- 7,087,084 B2 | 08-08-2006 | Reiley | | |
| | | US- 7,087,087 B2 | 08-08-2006 | Boyer, II et al. | | |
| | | US- 7,094,258 B2 | 08-22-2006 | Lambrecht et al. | | |
| | | US- 7,101,375 B2 | 09-05-2006 | Zucherman et al. | | |
| | | US -7,114,501 B2 | 10-03-2006 | Johnson et al. | | |
| | | US- 7,118,598 B2 | 10-10-2006 | Michelson | | |
| | | US- 7,124,761 B2 | 10-24-2006 | Lambrecht et al. | | |
| | | US- 7,147,665 B1 | 12-12-2006 | Bryan et al. | | |
| | | US- 7,153,307 B2 | 12-26-2006 | Scribner et al. | | |
| | | US- 7,156,877 B2 | 01-02-2007 | Lotz et al. | | |
| | | US- 7,179,262 B2 | 02-20-2007 | Bryan et al. | | |
| | | US- 7,189,234 B2 | 03-13-2007 | Zucherman et al. | | |
| | | US- 7,189,235 B2 | 03-13-2007 | Cauthen | | |
| | | US- 7,198,047 B2 | 04-03-2007 | Lambrecht et al. | | |
| | | US- 7,201,751 B2 | 04-10-2007 | Zucherman et al. | | |
| | | US- 7,204,851 B2 | 04-17-2007 | Trieu et al. | | |
| FOREIGN PATENT DOCUMENTS | | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | | T ⁶ |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| EXAMINER SIGNATURE | | DATE CONSIDERED | | | | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.
 This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | <i>Complete if Known</i> | |
|--|--------------------------|--|--------------------------------|--|--------------------|
| | | | | Application Number | 10/804,761 |
| | | | | Filing Date | March 19, 2004 |
| | | | | First Named Inventor | Hochschuler et al. |
| | | | | Art Unit | 3775 |
| | | | | Examiner Name | Michael J. Araj |
| Sheet | 15 | of | 20 | Attorney Docket Number | 3110.22US02 |
| U.S. PATENT DOCUMENTS | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | |
| | | Number-Kind Code ² (if known) | | | |
| | | US- 7,220,281 B2 | 05-22-2007 | Lambrecht et al. | |
| | | US- 7,226,481 B2 | 06-05-2007 | Kuslich | |
| | | US- 7,234,468 B2 | 06-26-2007 | Johnson et al. | |
| | | US- 7,258,692 B2 | 08-21-2007 | Thelen et al. | |
| | | US- 7,258,700 B2 | 08-21-2007 | Lambrecht et al. | |
| | | US- 7,270,658 B2 | 09-18-2007 | Woloszko et al. | |
| | | US- 7,273,497 B2 | 09-25-2007 | Ferre | |
| | | US- 7,300,440 B2 | 11-27-2007 | Zdeblick et al. | |
| | | US- 7,300,465 B2 | 11-27-2007 | Paul et al. | |
| | | US- 7,309,338 B2 | 12-18-2007 | Cragg | |
| | | US- 7,318,823 B2 | 01-15-2008 | Sharps et al. | |
| | | US- 7,331,956 B2 | 02-19-2008 | Hovda et al. | |
| | | US- 7,338,526 B2 | 03-04-2008 | Steinberg | |
| | | US- 7,357,798 B2 | 04-15-2008 | Sharps et al. | |
| | | US- 7,387,625 B2 | 06-17-2008 | Hovda et al. | |
| | | US- 7,393,351 B2 | 07-01-2008 | Woloszko et al. | |
| | | US- 7,427,284 B2 | 09-23-2008 | Seedhom et al. | |
| FOREIGN PATENT DOCUMENTS | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | T ⁶ |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| EXAMINER SIGNATURE | | DATE CONSIDERED | | | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.A./

| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | | <i>Complete if Known</i> | | |
|---|--------------------------|--|--------------------------------|--|--|--------------------|
| | | | | Application Number | | 10/804,761 |
| | | | | Filing Date | | March 19, 2004 |
| | | | | First Named Inventor | | Hochschuler et al. |
| | | | | Art Unit | | 3775 |
| Examiner Name | | Michael J. Araj | | | | |
| Sheet | 16 | of | 20 | Attorney Docket Number | | 3110.22US02 |
| U.S. PATENT DOCUMENTS | | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | | |
| | | Number-Kind Code ² (if known) | | | | |
| | | US- 7,449,021 B2 | 11-11-2008 | Underwood et al. | | |
| | | US- 7,455,672 B2 | 11-25-2008 | Michelson | | |
| | | US- 7,462,178 B2 | 12-09-2008 | Woloszko et al. | | |
| | | US- 7,473,268 B2 | 01-06-2009 | Zucherman et al. | | |
| | | US- 7,476,226 B2 | 01-13-2009 | Weikel et al. | | |
| | | US- 7,485,119 B2 | 02-03-2009 | Thelen et al. | | |
| | | US- 7,488,329 B2 | 02-10-2009 | Thelen et al. | | |
| | | US- 7,491,219 B2 | 02-17-2009 | Steinberg | | |
| | | US- 7,491,236 B2 | 02-17-2009 | Cragg et al. | | |
| | | US- 7,497,868 B2 | 03-03-2009 | Steinberg | | |
| | | US- 7,503,936 B2 | 03-17-2009 | Trieu | | |
| | | US- 7,507,243 B2 | 03-24-2009 | Lambrecht et al. | | |
| | | US- 7,510,567 B2 | 03-31-2009 | Zucherman et al. | | |
| | | US- 7,513,911 B2 | 04-07-2009 | Lambrecht et al. | | |
| | | US- 7,520,900 B2 | 04-21-2009 | Trieu | | |
| | | US- 7,524,333 B2 | 04-28-2009 | Lambrecht et al. | | |
| | | US- 7,534,254 B1 | 05-19-2009 | Michelson | | |
| FOREIGN PATENT DOCUMENTS | | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | | T ⁶ |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| EXAMINER SIGNATURE | | | | DATE CONSIDERED | | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.A./

| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | <i>Complete if Known</i> | | |
|--|--------------------------|--|--------------------------------|--|--------------------|----------------|
| | | | | Application Number | 10/804,761 | |
| | | | | Filing Date | March 19, 2004 | |
| | | | | First Named Inventor | Hochschuler et al. | |
| | | | | Art Unit | 3775 | |
| | | | | Examiner Name | Michael J. Araj | |
| Sheet | 17 | of | 20 | Attorney Docket Number | | 3110.22US02 |
| U.S. PATENT DOCUMENTS | | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | | |
| | | Number-Kind Code ² (if known) | | | | |
| | | US- 7,547,317 B2 | 06-16-2009 | Cragg | | |
| | | US- 7,547,324 B2 | 06-16-2009 | Cragg et al. | | |
| | | US- 7,553,329 B2 | 06-30-2009 | Lambrecht et al. | | |
| | | US- 7,553,330 B2 | 06-30-2009 | Lambrecht et al. | | |
| | | US- 7,563,282 B2 | 07-21-2009 | Lambrecht et al. | | |
| | | US- 7,569,056 B2 | 08-04-2009 | Cragg et al. | | |
| | | US- 7,582,106 B2 | 09-01-2009 | Teitelbaum et al. | | |
| | | US- 7,601,174 B2 | 10-13-2009 | Kelly et al. | | |
| | | US- 7,608,077 B2 | 10-27-2009 | Cragg et al. | | |
| | | US- 7,608,106 B2 | 10-27-2009 | Reiley | | |
| | | US- 7,608,107 B2 | 10-27-2009 | Michelson | | |
| | | US- 7,618,461 B2 | 11-17-2009 | Trieu | | |
| | | US- 7,621,939 B2 | 11-24-2009 | Zucherman et al. | | |
| | | US- 7,621,950 B1 | 11-24-2009 | Globberman et al. | | |
| | | US- 7,635,378 B2 | 12-22-2009 | Zucherman et al. | | |
| | | US- 7,641,658 B2 | 01-05-2010 | Shaolian et al. | | |
| | | US- 7,641,692 B2 | 01-05-2010 | Bryan et al. | | |
| | | US- 7,655,042 B2 | 02-02-2010 | Foley et al. | | |
| | | US- 7,658,765 B2 | 02-09-2010 | Lambrecht et al. | | |
| FOREIGN PATENT DOCUMENTS | | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | | T ⁶ |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| EXAMINER SIGNATURE | | DATE CONSIDERED | | | | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | <i>Complete if Known</i> | |
|--|--------------------------|--|--------------------------------|--|--------------------|
| | | | | Application Number | 10/804,761 |
| | | | | Filing Date | March 19, 2004 |
| | | | | First Named Inventor | Hochschuler et al. |
| | | | | Art Unit | 3775 |
| Examiner Name | | | | Michael J. Araj | |
| Sheet | 18 | of | 20 | Attorney Docket Number 3110.22US02 | |
| U.S. PATENT DOCUMENTS | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | |
| | | Number-Kind Code ² (if known) | | | |
| | | US- 7,662,173 B2 | 02-16-2010 | Cragg et al. | |
| | | US- 7,670,379 B2 | 03-02-2010 | Cauthen | |
| | | US- 7,682,364 B2 | 03-23-2010 | Reiley et al. | |
| | | US- 7,691,145 B2 | 04-06-2010 | Reiley et al. | |
| | | US- 7,699,877 B2 | 04-20-2010 | Davison | |
| | | US- 7,704,256 B2 | 04-27-2010 | Sand et al. | |
| | | US- 7,708,742 B2 | 05-04-2010 | Scribner et al. | |
| | | US- 7,713,301 B2 | 05-11-2010 | Bao et al. | |
| | | US- 7,717,958 B2 | 05-18-2010 | Cragg et al. | |
| | | US- 7,717,961 B2 | 05-18-2010 | Lambrecht et al. | |
| | | US- 7,722,530 B2 | 05-25-2010 | Davison | |
| | | US- 7,727,262 B2 | 06-01-2010 | Shaolian et al. | |
| | | US- 7,727,263 B2 | 06-01-2010 | Cragg | |
| | | US- 7,731,720 B2 | 06-08-2010 | Sand et al. | |
| | | US- 7,744,599 B2 | 06-29-2010 | Cragg | |
| | | US- 7,749,225 B2 | 07-06-2010 | Chappuis et al. | |
| | | US- 7,749,228 B2 | 07-06-2010 | Lieberman | |
| | | US- 7,749,267 B2 | 07-06-2010 | Karmon | |
| | | US- 7,749,273 B2 | 07-06-2010 | Cauthen, III et al. | |
| | | US- 7,749,275 B2 | 07-06-2010 | Lambrecht et al. | |
| | | US- 7,753,941 B2 | 07-13-2010 | Keith et al. | |
| FOREIGN PATENT DOCUMENTS | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | T ⁶ |
| | | Country Code ³ Number ⁴ Kind Code ⁵ (if known) | | | |
| | | | | | |
| | | | | | |
| EXAMINER SIGNATURE | | | DATE CONSIDERED | | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.A./

| | | | | | |
|---|--------------------------|--|----|------------------------|--------------------|
| Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i> | | | | Complete if Known | |
| | | | | Application Number | 10/804,761 |
| | | | | Filing Date | March 19, 2004 |
| | | | | First Named Inventor | Hochschuler et al. |
| | | | | Art Unit | 3775 |
| | | | | Examiner Name | Michael J. Araj |
| Sheet | 20 | of | 20 | Attorney Docket Number | 3110.22US02 |
| NON PATENT LITERATURE DOCUMENTS | | | | | |
| EXAMINER INITIAL* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | | | T ² |
| | | Application and File History for U.S. Patent Application No. 09/827,202 (now U.S. Patent No. 6,575,978), filed April 5, 2001, Inventors Peterson et al., <i>as available on PAIR at www.uspto.gov.</i> | | | |
| | | Application and File History for U.S. Patent Application No. 12/503,663, filed July 15, 2009, Inventors Kuslich, <i>as available on PAIR at www.uspto.gov.</i> | | | |
| | | Application and File History for U.S. Provisional Patent Application No. 60/219,853, filed July 21, 2000, Inventor Kuslich, <i>as available on PAIR at www.uspto.gov.</i> | | | |
| | | Application and File History for U.S. Provisional Patent Application No. 60/185,323, filed February 28, 2000, Inventor Hochschuler, <i>as available on PAIR at www.uspto.gov.</i> | | | |
| | | Application and File History for U.S. Provisional Patent Application No. 60/239,217, filed October 10, 2000, Inventor Johnson, <i>as available on PAIR at www.uspto.gov.</i> | | | |
| | | Application and File History for U.S. Provisional Patent Application No. 60/239,216, filed October 10, 2000, Inventor Johnson, <i>as available on PAIR at www.uspto.gov.</i> | | | |
| | | Application and File History for U.S. Provisional Patent Application No. 10/440,036 (now U.S. Patent No. 7,226,481), filed May 16, 2003, Inventor Kuslich, <i>as available on PAIR at www.uspto.gov.</i> | | | |
| | | Application and File History for U.S. Provisional Patent Application No. 11/282,910, filed November 18, 2005, Inventor Kuslich, <i>as available on PAIR at www.uspto.gov.</i> | | | |
| | | Application and File History for U.S. Provisional Patent Application No. 11/906,755, filed October 3, 2007, Inventor Kuslich, <i>as available on PAIR at www.uspto.gov.</i> | | | |
| | | Application and File History for U.S. Provisional Patent Application No. 12/624,179, filed November 23, 2009, Inventor Kuslich, <i>as available on PAIR at www.uspto.gov.</i> | | | |
| | | Application and File History for U.S. Provisional Patent Application No. 60/220,303, filed July 24, 2000, Inventor Hektner, <i>as available on PAIR at www.uspto.gov.</i> | | | |
| | | Application No. PCT/US01/22837, filed July 20, 2001, Applicant The Spineology Group, LLC, International Search Report dated March 8, 2002, 1 page. | | | |
| | | Patent Interference No. 105,252, Kuslich et al. v. Hochschuler et al., Documents Dated November 9, 2004 – February 3, 2005. | | | |
| EXAMINER SIGNATURE | /Michael Araj/ | | | DATE CONSIDERED | 12/17/2010 |
| <p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.</p> <p>This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.</p> <p><i>If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.</i></p> | | | | | |